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June 16, 2006

VIA FACSIMILE

Honorable Edward R. Korman
Chief United States District Judge
United States District Court
Eastern District of New York
United States Courthouse
Room 448
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. William Paine*
03 Cr. 044 (ERK)

Dear Judge Korman:

We represent William D. Paine in relation to the United States Department of Probation's ("Probation Department") May 8, 2006, Report of Violation of Supervised Release ("Report"). We are scheduled to appear before your Honor on Wednesday, June 21, 2006, at 11:00 a.m..

The Probation Department filed a Petition for Summons for Offender Under Supervision ("Petition") with the Court alleging Mr. Paine failed to comply with computer restrictions and monitoring. The Probation Department submits that Mr. Paine's condition of supervision should be modified as follows: home detention for ninety days, with an allowance for Mr. Paine to leave for employment and other necessary activities, with the approval of the Probation Department.

The Probation Department and I engaged in many discussions in an attempt to resolve this matter without the need to bring it to the Court's attention. However we have not yet been able to resolve this matter. As I understand the Probation Department's Report, it alleges that Mr. Paine violated a special condition of supervised release in that he accessed websites while at work for his personal use and not for work-related purposes. Mr. Paine obviously takes issue with this allegation.

Indeed, Mr. Paine was given an assignment by his employer, Health Advocates for Older People, Inc. ("Health Advocates"), to update its website. See Attachment (March 31, 2006, Letter from Nancy Houghton, Executive Director of Health Advocates to Probation Officer Daly). Mr. Paine accessed certain websites at work with which he was familiar so as to

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understand how those websites operated and were constructed. He intended to use the knowledge garnered from his research to update Health Advocates' website.

Additionally, I have spoken to Ms. Friedhilde Milburn, former President of the Board of Directors of Health Advocates. Ms. Milburn is referenced in Ms. Houghton's March 31, 2006, letter. Ms. Milburn is willing to testify on Mr. Paine's behalf regarding her assignment to Mr. Paine to update Health Advocates' website. Additionally, I spoke to a woman who now works as a consultant for Health Advocates -- Ruth Acker -- who, for all intent and purposes, trained Mr. Paine in his current position, shared an office at Health Advocates with Mr. Paine, and is familiar with the assignment Mr. Paine was given to update the website. Mrs. Acker is also willing to testify on Mr. Paine's behalf. In our view, this proof would establish that Mr. Paine was authorized to access the websites in question.

I anticipate Mr. Paine will enter a denial of the allegations in the Petition and the Report. If we are unable to resolve the matter, I wanted your Honor to be aware that we are ready to proceed to a hearing at the Court's convenience. I have discussed the matter thoroughly with Assistant United States Attorney Joseph Lipton and unless your Honor directs me otherwise, I will advise my witnesses not to appear in Court this Wednesday, but rather, await, if necessary, a scheduled date from the Court.

Thank you for your consideration and if you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Christopher L. Padurano

Attachment

cc: Joseph Lipton
Assistant United States Attorney
(Via Facsimile)

Elizabeth Daly
United States Probation Officer
(Via Facsimile)

William D. Paine
(Via Electronic Mail)

HEALTH ADVOCATES FOR OLDER PEOPLE, INC.

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March 31, 2006

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Re: William Paine work related web use

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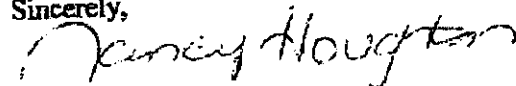
Dear Ms. Daly:

This letter is to confirm that I as Executive Director of Health Advocates for Older People, Inc., and Ms. Friedhilde Milburn, President of the Board of Directors of HAFOP Inc., directed Mr. Paine to undertake whatever research he required to take on the task of updating the Health Advocates' web site (www.hafop.org).

Mr. Paine accessed several web sites familiar to him looking for formatting and web code ideas that might be useful to our web site. This use of the web was within the scope of Mr. Paine's employment here at HAFOP.

I am aware of the nature of Mr. Paine's offense and will work with you and him to avoid future misunderstandings. Accordingly, I am authorizing your department to install computer monitoring software on the computer Mr. Paine principally uses. Due to a shortage of office space, from time to time I ask Mr. Paine to work at other computers. I would like to discuss with you a mutually agreeable arrangement for allowing Mr. Paine to occasionally use these other computers.

Sincerely,



Nancy Houghton
 Executive Director

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